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Attorney for Defendant, First Financial Investment Fund V, LLC

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

CRYSTAL LAWRENCE,

**on behalf of Plaintiff and
Class,**

v.

**FIRST FINANCIAL INVESTMENT FUND
V, LLC,**

Defendant.

NOTICE OF REMOVAL

Case No.: _____

Honorable _____

**Removed from the Third Judicial District
Court, Salt Lake County, State of Utah,
Case No. 190901033**

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant, First Financial Investment Fund V, LLC (“First Financial”) hereby gives notice of the removal of the above-captioned matter, currently pending in the Third Judicial District Court, Salt Lake County, State of Utah, Case No. 190901033, to the United States District Court for the District of Utah, Central Division. This

Court has federal question jurisdiction over this matter pursuant to 28 U.S.C. § 1331. In support of this Notice of Removal, First Financial states as follows:

1. On February 11, 2019, Plaintiff Crystal Lawrence served First Financial with a Summons and copy of the Complaint in this matter. Pursuant to 28 U.S.C. § 1446(a), attached as Exhibit A is a true and correct copy of the Summons and Complaint served upon First Financial.

2. The Complaint alleges, among other things, that First Financial engaged in conduct “in violation of 15 U.S.C. §§ 1692e, 1692e(2), 1692e(5), 1692e(10), and 1692f” otherwise known as the Fair Debt Collection Practices Act. (Compl. ¶¶ 27-30). The Complaint also asserts violation of the Utah Consumer Sales Practice Act.

3. Removal of this action to the United States District Court, District of Utah, Central Division, is proper pursuant to 28 U.S.C. § 1441 because the United States District Court has original jurisdiction over the matter pursuant to 28 U.S.C. § 1331.

4. The United States District Court has original jurisdiction pursuant to 28 U.S.C. § 1331 because Plaintiff’s claims arise from the laws of the United States, particularly the federal Fair Debt Collection Practices Act. Under 28 U.S.C. § 1367, this Court has supplemental jurisdiction over all other claims in this action.

5. Venue is proper under 28 U.S.C. § 125(2) and 1441(a) because the United States Court for the District of Utah, Central Division, is the federal district embracing the Third Judicial District Court in and for Salt Lake County, State of Utah.

6. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because it is filed within thirty days after February 11, 2019, the date when Plaintiff served First Financial with the Summons and Complaint.

7. Pursuant to 28 U.S.C. § 1446(d), First Financial will promptly serve a copy of this Notice upon counsel for all parties and will file a copy in the Third Judicial District Court in and for Salt Lake County, State of Utah.

8. First Financial reserves the right to submit evidence supporting this Notice of Removal should Plaintiff move to remand.

WHEREFORE, First Financial requests that the above-styled action currently pending in Third Judicial District Court in and for Salt Lake County, State of Utah, be removed to this Court, which shall assume full jurisdiction over it as provided by law.

DATED this 13th day of March, 2019.

/s/ Melanie J. Vartabedian

Melanie J. Vartabedian, Esq.

Tyler M. Hawkins, Esq.

BALLARD SPAHR LLP

*Attorney for Defendant, First Financial Investment
Fund V, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sends notification of such filing to the following:

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/s/ Carrie Morgan
